

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

API TECHNOLOGIES, LLC,

Plaintiff,

v.

FACEBOOK, INC., ET AL.,

Defendants.

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CIVIL ACTION NO. 2:09-CV-00147

JURY TRIAL DEMANDED

**ORDER GRANTING JOINT MOTION FOR DISMISSAL BY PLAINTIFF API
TECHNOLOGIES, LLC AND DEFENDANT FACEBOOK, INC.
PURSUANT TO F.R.C.P. 41(A)(2)**

Before the Court is a Joint Motion for Dismissal by plaintiff, API Technologies, LLC (“API”), and defendant, Facebook, Inc. (“Facebook”), seeking the dismissal of API’s claims against Facebook WITHOUT PREJUDICE subject to the terms and conditions of those confidential agreements entered into between the parties. The Court being of the opinion that said motion should be GRANTED, it is hereby:

ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit between API and Facebook are dismissed, WITHOUT PREJUDICE, pursuant to Fed. R. Civ. P. 41(a)(2) subject to the terms and conditions of those confidential agreements entered into between the parties. This dismissal in no way affects API’s claims against any other defendant in this action, all of which remain pending, nor does it affect any defenses or counterclaims that could have been raised or asserted by defendant Facebook in this action.

It is further ORDERED that all costs, expenses and attorneys’ fees are to be borne by the party that incurred them.

SIGNED this 6th day of August, 2009.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE